

report or specified proposed findings or recommendations to which objection [has been] made.” After conducting this de novo review, the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.*; *see also* Fed. R. Civ. P. 72(b)(3).

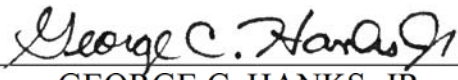
Based on the pleadings, the record and the applicable law, the Court **ACCEPTS** Judge Edison’s Memorandum and Recommendation and **ADOPTS** it as the opinion of the Court. It is therefore **ORDERED** that

(1) Judge Edison’s Memorandum and Recommendation (Dkt. 45) is **APPROVED AND ADOPTED** in its entirety as the holding of the Court;

(2) Kinder Morgan’s Motion for Summary Judgment (Dkt. 29) is **GRANTED** and USW Defendants’ Motion for Summary Judgment (Dkt. 28) is **DENIED**.

It is so **ORDERED**.

SIGNED at Houston, Texas, this 28th day of August, 2020.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE